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**Pro hac vice motion to follow*

ATTORNEYS FOR PLAINTIFFS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

NAVAJO NATION'S HUMAN RIGHTS
COMMISSION; PEGGY PHILLIPS; MARK
MARYBOY; WILFRED JONES; TERRY
WHITEHAT; BETTY BILLIE FARLEY;
WILLIE SKOW; and MABEL SKOW,

Case No. 2:16-cv-154 JNP

Plaintiffs,

v.

PLAINTIFFS' APPLICATION FOR
DESIGNATION OF A THREE-
JUDGE COURT

SAN JUAN COUNTY; JOHN DAVID
NIELSON, in his official capacity as San Juan
County Clerk; and PHIL LYMAN, BRUCE
ADAMS, and REBECCA BENALLY, in their
official capacities as San Juan County
Commissioners,

Defendants.

Plaintiffs respectfully request that a district court of three judges be convened to hear and determine a cause of action contained in Plaintiffs' Complaint in this case. In support of this request, Plaintiffs state:

1. This case arises from the decision of San Juan County, Utah to move to a mail-only voting system to the detriment of Native American residents and in violation of Section 203 of the Voting Rights Act, 52 U.S.C. § 10503 ("Section 203"), Section 2 of the Voting Rights Act, 52 U.S.C. § 10301 ("Section 2"), and the Fourteenth Amendment to the United States Constitution Act.

2. The closure of polling places within the Navajo Nation Reservation has hindered and will continue to hinder the ability of Native American citizens in San Juan County to effectively participate in the political process.

3. The mail-only system has deprived Native Americans speaking Navajo, an unwritten language, from their right to language assistance for limited-English proficient citizens under Section 203.

4. Section 204 of the Voting Rights Act, 52 U.S.C. § 10504, provides that an action under this subsection shall be heard and determined by a court of three judges in accordance with 28 U.S.C. § 2284.

Accordingly, Plaintiffs respectfully request that a court of three judges be designated to hear and determine Plaintiffs' claim under Section 203 in accordance with the provisions of 28 U.S.C. § 2284.

Respectfully submitted, this 1st day of March, 2016.

s/ John Mejia

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